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#### CONNECTICUT PENAL CODE—UPDATED AND **REVISED**

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#### PENAL CODE

- Title 53a of the General **Statutes**
- Penal Code crimes cover many categories including homicide, assault, sexual assault, robbery, burglary, and larceny
- Statutes with criminal penalties are found in every title of the statutes, not just the Penal Code

#### QUESTION

This report lists all crimes in the Connecticut Penal Code (Title 53a of the General Statutes) and their penalties. It updates OLR Report 2012-R-0134.

#### **SUMMARY**

This report lists all of the crimes contained in the Penal Code. It updates previous reports to reflect changes from the 2012 and 2013 sessions. Statutes with criminal penalties that are codified outside the Penal Code are not included.

Criminal offenses in Connecticut are classified as felonies, which are punishable by imprisonment for over one year, and misdemeanors, which are punishable by imprisonment for not more than one year. In turn, felonies are classified according to severity as class A, class B, class C, class D, and class E. Misdemeanors are classified as class A, class B, class C, and class D. There are unclassified felonies and misdemeanors which are punishable by imprisonment but not designated under one of the classes listed above (under PA  $\underline{12-80}$  and PA  $\underline{13-258}$ , some unclassified crimes may be deemed classified if they have the same maximum prison term as one of the classes specified above).

Terms of imprisonment in Connecticut must be for specific periods of time. Judges set the specific penalty for each offender from a range of sentences and fines set out in the statutes. A judge may impose a fine, a term of imprisonment, or both.

This report focuses on prison sentences and does not include fines that apply to the crimes in the Penal Code, sex offender registry requirements, and other consequences of a conviction. We also exclude statutes that are punishable as infractions or by a fine only.

Table 1 displays all of the crimes in the Penal Code arranged by classification. It displays the authorized prison sentence for each and any mandatory minimum sentence that applies.

In addition to the crimes contained in Table 1, the Penal Code also includes enhanced penalties for persistent offenders, acts of terrorism, and certain other types of offenders. These provisions are described below in Table 2.

#### **PENAL CODE OFFENSES**

Table 1 displays all of the crimes in the Penal Code arranged by classification. It displays the authorized prison sentences for each and any mandatory minimum sentence that applies.

In addition to the crimes listed in the table, the Penal Code punishes (1) attempting or conspiring to commit any of them or (2) acting as an accomplice to one of them.

Attempt or conspiracy is a crime "of the same grade and degree as the most serious offense which is attempted or is an object of the conspiracy, except that an attempt or conspiracy to commit a class A felony is a class B felony" (CGS § 53a-51). If someone is convicted of attempt or conspiracy to commit a crime other than a class A felony that carries a mandatory minimum sentence, the offender is subject to that mandatory minimum sentence (see *State v. Moran*, 264 Conn. 593 (2003)).

Someone is an accomplice or criminally liable for the acts of another if he or she acts with the mental state required to commit a crime and solicits, requests, commands, or intentionally aids another to engage in criminal conduct. These offenders can be punished as if they were the principal

offenders (CGS § <u>53a-8</u>). It also appears that someone who is an accomplice to a crime that is punishable by a mandatory minimum sentence would be subject to that mandatory minimum.

Table 1: Penal Code Crimes Arranged By Class, With Authorized Prison Sentences and Mandatory Minimum Sentences

Classification (Penalty)	Crime (CGS §)	Mandatory Minimum Sentence
Capital A felony-Murder with special circumstances (life without possibility of release)	Murder with special circumstances (53a-54b)	Life without possibility of release
Class A Felonies—Murder (25 to 60 years)	Murder (53a-54a)	25 years
(23 to 00 years)	Felony murder (53a-54c)	25 years
Class A Felony—Aggravated sexual assault of a minor (25 to 50 years)	Aggravated sexual assault of a minor (53a-70c)	1st offense: 25 years     Subsequent offense: 50 years
Class A Felonies (10 to 25 years)	Assault of pregnant woman resulting in termination of pregnancy (53a-59c)	10 years*
	Sexual assault 1st degree (when force is used or threatened and victim under 16 or victim under 13 and actor more than two years older) (53a-70)	<ul> <li>Five years</li> <li>10 years if victim under 10</li> <li>In all cases, 10-year mandatory minimum period of combined imprisonment and special parole</li> </ul>
	Aggravated sexual assault 1st degree (victim under 16) (53a-70)	<ul> <li>Five years</li> <li>20 years if use force or threaten force</li> <li>In all cases, five year period of special parole</li> </ul>
	Kidnapping 1st degree (53a-92)	10 years*
	Kidnapping 1st degree with a firearm (53a-92a, as amended by PA 13-28)	10 years*
	Home invasion (53a-100aa)	10 years
	Arson 1 <sup>st</sup> degree (53a-111)	No mandatory minimum (pursuant to <i>State v.</i> O'Neill, 200 Conn. 268 (1986))
	Employing a minor in an obscene performance (53a-196a)	10 years
Class B Felony— Manslaughter 1 <sup>st</sup> degree with a firearm (five to 40 years)	Manslaughter 1 <sup>st</sup> degree with a firearm (53a-55a)	Five years
Class B Felonies (one to 20 years)	Manslaughter 1 <sup>st</sup> degree (53a-55)	
, ,	Assault 1st degree (53a-59)	Five years when committed with a deadly weapon or dangerous instrument     10 years if victim is under age 10 or a witness
	Assault of an elderly, blind, disabled, or pregnant person or person with intellectual disabilities 1st degree (53a-59a)	Five years

Classification (Penalty)	Crime (CGS §)	Mandatory Minimum Sentence
(: 5)	Assault of Department of Correction employee  1st degree  (53a-59b)	
	Sexual assault 1st degree (also an A felony under certain circumstances, see above) (53a-70)	<ul> <li>Two years</li> <li>10 years if victim under age 10</li> <li>In all cases, 10-year mandatory minimum period of combined imprisonment and special parole</li> </ul>
	Aggravated sexual assault 1st degree (victim over age 16) (53a-70a)	<ul><li>Five years</li><li>Five years of special parole</li></ul>
	Sexual assault in spousal or cohabitation relationship (53a-70b)	
	Sexual assault 2 <sup>nd</sup> degree (victim under 16) (53a-71)	Nine months
	Sexual assault 3 <sup>rd</sup> degree with a firearm (victim under 16) (53a-72b)	<ul> <li>Two years</li> <li>Combined prison and special parole term of 10 years</li> </ul>
	Promoting prostitution 1st degree (53a-86)	Nine months if the prostitute is under age 18
	Enticing a minor (victim under age 13 or 3 <sup>rd</sup> or subsequent offense with victim 13 or older) (53a-90a)	When minor under age 13:  1st offense: five years Subsequent offense: 10 years
	Kidnapping 2 <sup>nd</sup> degree (53a-94)	Three years
	Kidnapping 2 <sup>nd</sup> degree with a firearm (53a-94a)	Three years
	Burglary 1 <sup>st</sup> degree (53a-101)	Five years when committed with explosive, deadly weapon, or dangerous instrument
	Arson 2 <sup>nd</sup> degree (53a-112) Larceny 1 <sup>st</sup> degree	
	(53a-122) Identity theft 1st degree (53a-129b)	
	Robbery 1 <sup>st</sup> degree (53a-134)	Five years when committed with a deadly weapon
	Possession of a weapon or dangerous instrument in a correctional institution (53a-174a)	
	Rioting at correctional institution (53a-179b) Trafficking in persons	
	(53a-192a)  Promoting a minor in an obscene performance	
	(53a-196b) Importing child pornography (53a-196c)	Five years
	Possessing child pornography 1st degree (53a-196d)	Five years
	Computer crime 1st degree (53a-252)	
	Money laundering 1 <sup>st</sup> degree (53a-276)	

Classification (Penalty)	Crime (CGS §)	Mandatory Minimum Sentence
(*)	Vendor fraud 1st degree (53a-291)	
	Computer crime in furtherance of terrorism (53a-301)	When directed toward public safety agency: Five years
Class C Felonies (one to 10 years)	Manslaughter 2 <sup>nd</sup> degree (53a-56)	
	Manslaughter 2 <sup>nd</sup> degree with a firearm (53a-56a)	One year
	Manslaughter 2 <sup>nd</sup> degree with a motor vehicle while intoxicated (53a-56b)	
	Strangulation 1st degree (53a-64aa)	
	Sexual assault 2 <sup>nd</sup> degree (victim 16 or older) (53a-71)	Nine months
	Sexual assault 3 <sup>rd</sup> degree (victim under 16) (53a-72a)	
	Sexual assault 3 <sup>rd</sup> degree with a firearm (victim 16 or older) (53a-72b)	<ul> <li>Two years</li> <li>Combined prison and special parole term of 10 years</li> </ul>
	Patronizing a prostitute (when the perpetrator knows or should know the prostitute is under age 18 or a trafficking victim) (53a-83, as amended by PA 13-166)	
	Promoting prostitution 2 <sup>nd</sup> degree (53a-87)	
	Enticing a minor (2 <sup>nd</sup> offense, victim 13 or older) (53a-90a)	
	Misrepresentation of age to entice a minor (53a-90b)	
	Burglary 2 <sup>nd</sup> degree (53a-102)	
	Burglary 2 <sup>nd</sup> degree with a firearm (53a-102a)	One year
	Arson 3 <sup>rd</sup> degree (53a-113)	
	Larceny 2 <sup>nd</sup> degree (53a-123)	
	Criminal trover 1st degree (second and subsequent offenses) (53a-126a)	
	Identity theft 2 <sup>nd</sup> degree (53a-129c)	
	Robbery 2 <sup>nd</sup> degree (53a-135)	
	Forgery 1 <sup>st</sup> degree (53a-138)	
	Bribery (53a-147)	
	Bribe receiving (53a-148)	
	Bribery of a witness (53a-149)	
	Bribe receiving by a witness (53a-150)	

Classification	Crime	Mandatory Minimum Sentence
(Penalty)	(CGS §) Tampering with a witness	mandate. y minimani e e incones
	(53a-151)	
	Intimidating a witness (53a-151a)	
	Bribery of a juror (53a-152)	
	Bribe receiving by a juror (53a-153)	
	Hindering prosecution 1st degree (53a-165aa)	Five years
	Hindering prosecution 2 <sup>nd</sup> degree (53a-166)	
	Assault of public safety, emergency medical, public transit, or health care personnel (53a-167c)	
	Assault on a prosecutor (53a-167d)	
	Escape 1st degree (53a-169)	
	Escape from custody (by person arrested for, charged with, or convicted of a felony) (53a-171)	
	Inciting injury to persons or property (53a-179a)	
	Inciting to riot at correctional institution (53a-179c)	
	Falsely reporting an incident resulting in serious physical injury or death (53a-180a)	
	Intimidation based on bigotry or bias 1st degree (53a-181j)	
	Possessing child pomography 2 <sup>nd</sup> degree (53a-196e)	Two years
	Commercial sexual exploitation of a minor (53a-196i)	
	Stealing a firearm (53a-212, as amended by PA 13-3)	Two years
	Criminal possession of firearm, ammunition, or electronic defense weapon (53a-217, as amended by PA 13-3)	Two years
	Criminal possession of a pistol or revolver (53a-217c, as amended by PA 13-3)	Two years
	Interference with a cemetery or burial ground (53a-218)	
	Computer crime 2 <sup>nd</sup> degree (53a-253)	
	Money laundering 2 <sup>nd</sup> degree (53a-277)	
	Vendor fraud 2 <sup>nd</sup> degree (53a-292)	
	Criminal misrepresentation (53a-302)	

Classification	Crime	Manufatani Minimo Onton
(Penalty)	(CGS §)	Mandatory Minimum Sentence
	Contamination of public water or food for terrorism (53a-303)	Five years
	Damage to public transportation for terrorism (53a-304)  Abuse 1st degree	
	( <u>53a-321)</u>	
Class D Felonies (up to 5 years)	Misconduct with a motor vehicle (53a-57)	
	Assault 2 <sup>nd</sup> degree (53a-60)	
	Assault 2 <sup>nd</sup> degree with a firearm (53a-60a)	One year
	Assault of an elderly, blind, disabled, or pregnant person or person with intellectual disabilities 2 <sup>nd</sup> degree (53a-60b)	Two years
	Assault of an elderly, blind, disabled, or pregnant person or person with intellectual disabilities 2 <sup>nd</sup> degree with a firearm (53a-60c)	Three years
	Assault 2 <sup>nd</sup> degree with a motor vehicle while intoxicated (53a-60d)	
	Threatening 1st degree (53a-61aa)	
	Strangulation 2 <sup>nd</sup> degree (53a-64bb)	
	Sexual assault 3 <sup>rd</sup> degree (victim 16 or older) (53a-72a)	
	Sexual assault 4 <sup>th</sup> degree (victim under 16) (53a-73a)	
	Promoting prostitution 3 <sup>rd</sup> degree (53a-88)	
	Enticing a minor (1st offense, victim 13 or older) (53a-90a)	
	Unlawful restraint 1st degree (53a-95)	
	Custodial interference 1 <sup>st</sup> degree (53a-97)	
	Substitution of children (53a-99)	
	Burglary 3 <sup>rd</sup> degree (53a-103)	
	Burglary 3 <sup>rd</sup> degree with a firearm (53a-103a)	One year
	Reckless burning (53a-114)	
	Criminal mischief 1st degree (53a-115)	
	Criminal damage to landlord's property 1st degree (53a-117e)	
	Damage to railroad property 1st degree (53a-117k)	

Classification (Penalty)	Crime (CGS §)	Mandatory Minimum Sentence
	Using a motor vehicle or vessel without the	
	owner's permission or interfering or tampering with a motor vehicle (2 <sup>nd</sup> and subsequent	
	offenses)	
	(53a-119b)	
	Larceny 3 <sup>rd</sup> degree (53a-124)	
	Criminal trover 1st degree (1st offense) (53a-126a)	
	Theft of utility or cable TV service for profit or gain	
	(53a-127c)	
	Cheating while gambling (except for changing wager after time allowed expires) (53a-127d)	
	Possession of cheating device (53a-127e)	
	Issuing a bad check (over \$1,000) (53a-128)	
	Certain credit card crimes (53a-128i(b))	
	Identity theft 3 <sup>rd</sup> degree (53a-129d)	
	Trafficking in personal identifying information (53a-129e)	
	Impersonation of a police officer (53a-130a)	
	Robbery 3 <sup>rd</sup> degree ( <u>53a-136</u> )	
	Forgery 2 <sup>nd</sup> degree (53a-139)	
	Criminal simulation (53a-141)	
	Tampering with a juror (53a-154)	
	Tampering with or fabricating physical evidence	
	(53a-155) Perjury	
	(53a-156)  False statement on a certified payroll	
	(53a-157a, as amended by PA 13-144) Bribery 70 a labor official	
	(53a-158)  Bribe receiving by a labor official	
	(53a-159) Commercial bribery	
	(53a-160) Receiving a commercial bribe	
	(53a-161) Bid rigging	
	(53a-161a)  Receiving kickbacks	
	(53a-161c)	

Paying a kickbac (53a-161d) Rigging (53a-162) Hindering prosec (53a-167) Escape 2nd degre (53a-170) Failure to appear (53a-172) Conveying unaut correctional instit	eution 3 <sup>rd</sup> degree	Mandatory Minimum Sentence
(53a-161d) Rigging (53a-162) Hindering prosec (53a-167) Escape 2 <sup>nd</sup> degre (53a-170) Failure to appear (53a-172) Conveying unaut correctional instit	eution 3 <sup>rd</sup> degree	
Rigging (53a-162)  Hindering prosec (53a-167)  Escape 2 <sup>nd</sup> degre (53a-170)  Failure to appear (53a-172)  Conveying unaut correctional instit	ee	
Hindering prosect (53a-167)  Escape 2 <sup>nd</sup> degree (53a-170)  Failure to appear (53a-172)  Conveying unaut correctional instit	ee	
(53a-167)  Escape 2nd degree (53a-170)  Failure to appear (53a-172)  Conveying unaut correctional instit	ee	
(53a-170)  Failure to appear (53a-172)  Conveying unaut correctional instit		
Failure to appear (53a-172)  Conveying unaut correctional instit	· 1st degree	
Conveying unaut correctional instit		
correctional instit	horized items into	
(53a-174(a)) Criminal advocac	W.	
( <u>53a-179)</u>	, y	
Falsely reporting (53a-180)	an incident 1st degree	
Falsely reporting	an incident concerning	
serious physical (53a-180b)	injury or death	
Breach of peace	1 <sup>st</sup> degree	
<u>(53a-180aa)</u> Stalking 1 <sup>st</sup> degre	26	
(53a-181c)		
	d on bigotry or bias 2 <sup>nd</sup>	
degree (53a-181k)		
Harassment 1st c (53a-182b)	egree	
Eavesdropping		
<u>(53a-189)</u> Voyeurism		-
(53a-189a)		
Disseminating vo	yeuristic material	
<u>(53a-189b)</u> Bigamy		+
<u>(53a-190)</u>		
Incest (53a-191)		
	he threat is to commit a	
felony) (53a-192)		
Obscenity as to r (53a-196)	ninors	
Possessing child	pornography 3 <sup>rd</sup> degree	One year
(53a-196f) Possession of sa	wed-off shotgun or silencer	
(53a-211) Insurance fraud		
<u>(53a-215)</u>		
Criminal use of fi weapon	rearm or electronic defense	Five years
<u>(53a-216)</u>		
Criminally neglig (53a-217a)	ent storage of a firearm	

Classification	Crime	Mandatory Minimum Sentence
(Penalty)	(CGS §)	manuatory minimum Sentence
	Possession of weapon on school property (53a-217b)	
	Negligent hunting 1st degree (53a-217e(b))	
	Unlawful possession or sale of gravestones (53a-219)	
	Interference with a war or veterans' memorial or monument (53a-221a)	
	Unlawful possession, purchase, or sale of a war or veterans' memorial or monument (53a-221b)	
	Violate conditions of release 1 <sup>st</sup> degree (53a-222)	
	Criminal violation of a protective order (53a-223)	
	Criminal violation of standing criminal protective order (53a-223a)	
	Criminal violation of restraining order (53a-223b)	
	Computer crime 3 <sup>rd</sup> degree (53a-254)	
	Money laundering 3 <sup>rd</sup> degree (53a-278)	
	Vendor fraud 3 <sup>rd</sup> degree (53a-293)	
	Abuse 2 <sup>nd</sup> degree (53a-322)	
Class A Misdemeanors (up to one year)	Criminally negligent homicide (53a-58)	
	Assault 3 <sup>rd</sup> degree (53a-61)	One year when, with criminal negligence, cause physical injury with deadly weapon, dangerous instrument, or electronic defense weapon
	Assault of an elderly, blind, disabled, or pregnant person or person with intellectual disabilities 3 <sup>rd</sup> degree (53a-61a)	One year
	Threatening 2 <sup>nd</sup> degree (53a-62)	
	Reckless endangerment 1st degree (53a-63)	
	Strangulation 3 <sup>rd</sup> degree (53a-64cc)	
	Sexual assault 4th degree (victim 16 or older) (53a-73a)	
	Prostitution (53a-82)	
	Patronizing a prostitute (except when perpetrator knows or should know the prostitute is under age 18 or a trafficking victim)	
	( <u>53a-83)</u>	

Classification (Penalty)	Crime (CGS §)	Mandatory Minimum Sentence
	Patronizing a prostitute from a motor vehicle (53a-83a)	
	Permitting prostitution (53a-89)	
	Unlawful restraint 2 <sup>nd</sup> degree (53a-96)	
	Custodial interference 2 <sup>nd</sup> degree (53a-98)	
	Manufacturing or possession of burglar's tools	
	(53a-106) Criminal trespass 1st degree	
	(53a-107) Criminal mischief 2 <sup>nd</sup> degree	
	(53a-116) Criminal damage to landlord's property 2 <sup>nd</sup>	
	degree (53a-117f)	
	Damage to railroad property 2 <sup>nd</sup> degree (53a-117I)	
	Using a motor vehicle or vessel without the owner's permission or interfering or tampering with a motor vehicle (1st offense) (53a-119b)	
	Larceny 4 <sup>th</sup> degree (53a-125)	
	Criminal trover 2 <sup>nd</sup> degree (53a-126b)	
	Diversion from state of benefit of employees' labor (53a-127)	
	Unlawful entry into coin machine or possession of key to enter (53a-127a)	
	Unlawful possession of a shoplifting device (53a-127f)	
	Unlawful possession of a personal identifying information access device (53a-127g)	
	Issuing a bad check (between \$500 and \$1,000) (53a-128)	
	Certain credit card crimes (53a-128i(a))	
	Misapplication of property (53a-129)	
	Criminal impersonation (53a-130)	
	Unlawfully concealing a will (53a-131)	
	False entry by officer or agent of public community (53a-132)	
	Forgery of symbols of value (53a-142)	

Classification (Penalty)	Crime (CGS §)	Mandatory Minimum Sentence
(r onaisy)	Failure to report bribery (53a-148a)	
	False statement	
	(53a-157b)  Disclosure of bid or proposal	
	(53a-161b) Soliciting or accepting benefit for rigging	
	(53a-163)  Participating in a rigged contest	
	(53a-164) Interfering with an officer	
	<u>(53a-167a)</u>	
	Failure to assist a peace officer, special policeman, firefighter, or motor vehicle inspector (53a-167b)	
	Escape from custody (by person arrested for, charged with, or convicted of an offense that is not a felony) (53a-171)	
	Aiding escape from hospital or sanitarium (53a-171a)	
	Failure to appear 2 <sup>nd</sup> degree (53a-173)	
	Conveying unauthorized letters into correctional or humane institution or to inmate outside institution or using false name to enter institution  (53a-174(b) or (c))	
	Conveying or using electronic wireless communication device in prison (53a-174b)	
	Riot 1 <sup>st</sup> degree ( <u>53a-175)</u>	
	Inciting to riot (53a-178)	
	Falsely reporting an incident 2 <sup>nd</sup> degree (53a-180c)	
	Stalking 2 <sup>nd</sup> degree (53a-181d)	
	Intimidation based on bigotry or bias 3 <sup>rd</sup> degree (53a-181l)	
	Interfering with an emergency call (53a-183b)	
	Disrupting a funeral (53a-183c)	
	Tampering with private communications (53a-188)	
	Coercion (when the threat is to commit other than a felony) (53a-192)	
	Possessing or transmitting child pornography by minor (sexting) (53a-196h)	

Classification	Crime	Mandatory Minimum Sentence
(Penalty)	(CGS §)	mandatory minintani Sentence
	Criminal possession of body armor (53a-217d)	
	Negligent hunting 2 <sup>nd</sup> degree (53a-217e(c))	
	Interference with a memorial plaque (53a-220)	
	Unlawful purchase, possession, or sale of a memorial plaque (53a-221)	
	Violation of conditions of release 2 <sup>nd</sup> degree (53a-222a)	
	Recruiting a gang member (53a-224)	
	Computer crime 4 <sup>th</sup> degree (53a-255)	
	Money laundering 4 <sup>th</sup> degree (53a-279)	
	Vendor fraud 4 <sup>th</sup> degree (53a-294)	
	Abuse 3 <sup>rd</sup> degree ( <u>53a-323)</u>	
Class B Misdemeanors (up to six months)	Reckless endangerment 2 <sup>nd</sup> degree (53a-64)	
	Criminal trespass 2 <sup>nd</sup> degree (53a-108)	
	Criminal trespass 3 <sup>rd</sup> degree (poaching) (53a-109)	
	Criminal mischief 3 <sup>rd</sup> degree (53a-117)	
	Criminal damage to landlord's property 3 <sup>rd</sup> degree (53a-117g)	
	Damage to railroad property 3 <sup>rd</sup> degree (53a-117m)	
	Larceny 5 <sup>th</sup> degree (53a-125a)	
	Cheating while gambling (changing wager after time allowed expires) (53a-127d)	
	Issuing a bad check (between \$250 and \$500) (53a-128)	
	Forgery 3 <sup>rd</sup> degree (53a-140)	
	Unlawfully using slugs 1st degree (53a-144)	
	Riot 2 <sup>nd</sup> degree (53a-176)	,
	Unlawful assembly (53a-177)	
	Misuse of 9-1-1 system ( <u>53a-180d</u> )	
	Breach of peace 2 <sup>nd</sup> degree (53a-181)	
	Stalking 3 <sup>rd</sup> degree (53a-181e)	

Classification	Crime	
(Penalty)	(CGS §)	Mandatory Minimum Sentence
	Public indecency	
	<u>(53a-186)</u>	
	Obscenity (53a-194)	
	Negligent hunting 3 <sup>rd</sup> degree	
	(53a-217e(d))	
	Computer crime 5th degree	
	<u>(53a-256)</u>	
	Vendor fraud 5 <sup>th</sup> degree	
Olara O Miadamana	(53a-295)	
Class C Misdemeanors (up to 3 months)	Criminal trespass 3 <sup>rd</sup> degree (except for poaching)	
(up to 5 months)	(53a-109)	
	Criminal mischief 4th degree	
	<u>(53a-117a)</u>	
	Larceny 6 <sup>th</sup> degree	
	(53a-125b)	
	Fraudulent use of automatic teller machine (53a-127b)	
	Issuing a bad check (\$250 or less) (53a-128)	
	Unlawfully using slugs 2 <sup>nd</sup> degree	
	<u>(53a-145)</u>	
	Disorderly conduct (53a-182)	
	Obstructing free passage (53a-182a)	
	Harassment 2 <sup>nd</sup> degree (53a-183)	
	Obstructing the lawful taking of wildlife (53a-183a)	
	Loitering in or about school grounds (53a-185)	
	Drinking while operating a motor vehicle (53a-213)	
	Criminal lockout (53a-214)	
	Negligent hunting 4 <sup>th</sup> degree (53a-217e(e))	
	Vendor fraud 6 <sup>th</sup> degree (53a-296)	
Unclassified (life imprisonment, statutorily	Arson murder (53a-54d)	Can be suspended (State v. Dupree, 196 Conn. 655 (1985))
defined as 60 years)		
Unclassified	Violating injunction against material or	
(up to two years)	performance that is obscene or obscene as to	
	minors (53a-209)	
**************************************	purpose or reduction of any contance for a class A fold	and the state of t

\*CGS §§ 53a-28 and 53a-29 prohibit suspension or reduction of any sentence for a class A felony, meaning that the 10-year minimum sentence for a class A felony becomes a mandatory minimum, unless the statute specifies otherwise. In cases noted above, the Connecticut Supreme Court has ruled that where a more serious crime carries a lesser penalty, this penalty must prevail and be applied to the less serious crime.

# PERSISTENT OFFENDERS, ACTS OF TERRORISM, AND OTHER ENHANCED SENTENCES

A number of statutes authorize enhanced penalties for offenders who commit crimes contained in the Penal Code depending on their criminal record or the circumstances of the crime (such as using a weapon). Table 2 displays these provisions, including two provisions from outside the Penal Code because they enhance penalties for crimes contained in the Penal Code.

Table 2: Statutes That Enhance Penalties for Penal Code Offenses and Offenders

Offense (CGS §)	Authorized Penalty
Probation for certain sex offenses (53a-29(f))	10 to 35 years probation
Persistent dangerous felony offenders (53a-40(a) and (h))	<ul> <li>For those with one of the required prior convictions, a range between twice the minimum penalty for the crime the person stands convicted of, including twice any mandatory minimum sentence that applies, to a maximum of 40 years or twice the maximum penalty for the crime the person stands convicted of, whichever is longer</li> <li>For those with two of the required prior convictions, a range between three times the minimum penalty for the crime the person stands convicted of, including three times any mandatory minimum sentence that applies, and life in prison (60 years)</li> </ul>
Persistent dangerous sexual offenders	A combined term of prison and special parole that
( <u>53a-40(b)</u> and (i))	constitutes a life sentence (statutorily defined as 60 years)
Persistent serious felony offenders	Sentence of imprisonment for the next more serious degree
( <u>53a-40(c) and (j)</u> )	of felony instead of the statutory sentence for the underlying crime*
Persistent serious sexual offenders ( <u>53a-40(d) and (k)</u> )	Sentence of imprisonment and a period of special parole which together constitute the maximum sentence for the next more serious degree of felony*
Persistent larceny offenders (53a-40(e) and (I))	Sentence for a class D felony (the underlying larceny offenses are all misdemeanors)
Persistent felony offenders	Sentence of imprisonment for the next more serious degree
(53a-40(f) and (m))	of felony with a 3-year mandatory minimum sentence*
Persistent bigotry or bias offenders (53a-40a)	Sentence for the next most serious felony or misdemeanor or, if the crime for which the sentence is to be imposed is a class A misdemeanor, the sentence for a class D felony
Offense committed while on release ( <u>53a-40b</u> )	In addition to the sentence for the offense:  up to 10 years for a felony  up to one year for a misdemeanor
Persistent assault, trespass, stalking, criminal violation of protective or	Sentence for the next most serious felony or misdemeanor
restraining order, and harassment-related offenders	or, if the crime for which the sentence is to be imposed is a
( <u>53a-40d</u> )	class A misdemeanor, the sentence for a class D felony
Persistent operating under the influence offender (53a-40f)	Sentence for the next more serious degree of felony
Carjacking—robbery involving an occupied motor vehicle	Three year mandatory minimum, in addition and
( <u>53a-136a</u> )	consecutive to any imprisonment for the robbery

Offense (CGS §)	Authorized Penalty
Persistent negligent hunters	Sentence for the next most serious degree of negligent
( <u>53a-217e(f)</u> )	hunting or hunting under the influence
Act of terrorism	Sentence for the next most serious degree of felony*
( <u>53a-300</u> )	
Commit class A, B, or C felony with assault rifle	Eight year mandatory minimum, in addition and consecutive
( <u>53-202j</u> )	to any imprisonment for the felony
Commit class A, B, or C felony with firearm	Five year mandatory minimum, in addition and consecutive
(53-202k)	to any imprisonment for the felony

<sup>\*</sup>If the penalty for a class A felony is imposed under one of these provisions, a 10-year mandatory minimum sentence would apply.

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